

DE 03-004

NUCLEAR EMERGENCY PLANNING

Petition of the New Hampshire Office of Emergency Management that  
the Chairman of the New Hampshire Public Utilities Commission  
Assess FPL Energy Seabrook for the Estimated Costs to Maintain  
the New Hampshire Radiological Response Plan for the Seabrook  
Station Nuclear Power Plant

Order Authorizing the New Hampshire Office of Emergency  
Management to Assess FPL Energy Seabrook the amount of \$1,479,046

O R D E R N O. 24,114

January 17, 2003

The New Hampshire Office of Emergency Management  
(NHOEM) submitted a letter on January 2, 2003 requesting that the  
Chairman of the New Hampshire Public Utilities Commission  
(Commission), pursuant to RSA 107-B, assess FPL Energy Seabrook  
(FPL) for the estimated costs to maintain the New Hampshire  
Radiological Emergency Response Plan (RERP) for the Seabrook  
Station Nuclear Power Plant. The request provides the estimated  
annual costs associated with personnel, training, associated  
expenses and equipment expenses incurred by local municipalities,  
state agencies and outside support agencies that have  
responsibilities with respect to the Seabrook Station RERP.

The total requested assessment for the Fiscal Year 2003  
is \$1,479,046 and consists of the following:

Class 10	Permanent Personnel	\$	476,758
Class 18	Duty Officer (Overtime)		5,000
Class 20	Current Expense		62,500
Class 28	Rent		40,000
Class 30	Equipment		45,000
Class 40	Indirect Cost		23,740
Class 46	Consultants		25,000
Class 49	OCPH		223,346
Class 50	PT Temporary Personnel/OT		91,092
Class 60	Fringe Benefits		177,329
Class 70	In State Travel		14,750
Class 80	Out of State Travel		8,500
Class 91	Rockingham County		46,038
Class 92	Vehicle Lease		11,000
Class 94	Local Support		175,743
Class 96	State Agencies		33,250
Class 97	Other Agencies		20,000
<b>TOTAL</b>		\$	<u>1,479,046</u>

The NHOEM requests that payments of the above assessment be made in response to monthly invoices prepared by the NHOEM and submitted to FPL. FPL will prepare each check made payable to Treasurer, State of New Hampshire and send payment to the NHOEM within 30 days after receipt of each invoice. The NHOEM also indicates that it reserves the right to transfer funds between classes as necessary in accordance with State of New Hampshire Administrative Rules.

RSA 107-B sets forth the Commission's jurisdiction over the assessment of these costs. It provides in pertinent part:

107-B:1 Nuclear Emergency Response Plan.

- I. The director of emergency management shall, in cooperation with the affected local units of government, initiate and carry out a nuclear emergency response plan as specified in the licensing regulations of each nuclear electrical generating plant. The chairman of the public utilities commission shall assess a fee from the utility, as necessary, to pay for the cost of preparing the plan and providing the equipment and materials to implement it.

107-B:3 Assessment.

- I. The cost of preparing, maintaining, and operating the nuclear planning and response program shall be assessed against each utility which has applied for a license to operate or is licensed to operate a nuclear generating facility which affects municipalities under RSA 107-B:1, II, in such proportions as the chairman of the public utilities commission determines to be fair and equitable.

The NHOEM submits, and the supporting schedules support, that the above stated costs will provide the resources and personnel required by the various State agencies and outside agencies.

Pursuant to RSA 107-B:1, I have reviewed, with the assistance of New Hampshire Public Utilities Commission Staff, the NHOEM's request and supporting data. I find that the budget costs contained therein relate to preparing the plan and providing equipment and materials necessary to implement it. Therefore, the assessment of \$1,479,046 for Fiscal Year 2003 is

approved, as specified above.

The NHOEM proposed billing mechanism is reasonable. Accordingly, the NHOEM is authorized to prepare monthly invoices and submit them to FPL. Within thirty (30) days of receipt of each invoice, FPL will prepare a check made payable to Treasurer, State of New Hampshire, and remit payment to the NHOEM. The NHOEM is also authorized to reserve the right to transfer funds between classes as necessary in accordance with State of New Hampshire Administrative Rules.

**Based upon the foregoing, it is hereby**

**ORDERED**, that \$1,479,046 for Fiscal Year 2003 for estimated annual costs associated with personnel, training, current expenses and equipment incurred by State agencies and outside support agencies plus the incorporation of local administration and training costs be assessed against FPL pursuant to RSA 107-B; and it is

**FURTHER ORDERED**, that the NHOEM is authorized to require FPL to make payments against the total financial assessment of \$1,479,046 on a per invoice basis; and it is

**FURTHER ORDERED**, that these invoices be prepared and submitted to FPL by the NHOEM (with an information copy to be provided to the Chairman of the Commission); and it is

**FURTHER ORDERED,** that FPL make payment within thirty (30) days of receipt of the invoice or be assessed a late penalty fee; and it is

**FURTHER ORDERED,** that the NHOEM is authorized to transfer funds between classes as necessary in accordance with State of New Hampshire Administrative Rules.

By order of the Public Utilities Commission of New Hampshire this seventeenth day of January, 2003.

---

Thomas B. Getz  
Chairman

Attested by:

---

Debra A. Howland  
Executive Director & Secretary